

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

PAUL LEMPERLE,

Defendant(s).

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ORDER OF DISMISSAL

Criminal No.07-M-126 (RFT)

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses the charges against **PAUL LEMPERLE** contained in Complaint No. 07-M-126, filed on May 2, 2007, based upon his compliance with the terms of a pretrial diversion agreement previously entered into.

Dated: February 2, 2009
Albany, New York

ANDREW T. BAXTER
UNITED STATES ATTORNEY

BY

THOMAS SPINA JR.
ASSISTANT U.S. ATTORNEY

* * *

Leave of Court is granted for the filing of the foregoing dismissal.

Dated: February 3, 2009
Albany, New York

Hon. Randolph F. Wreese
U.S. District Judge



U.S. Department of Justice

United States Attorney
Northern District of New York

James T. Foley U.S. Courthouse
445 Broadway, Room 218
Albany, New York 12207
(518) 431-0247
February 2, 2009

Honorable Randolph F. Treece
United States Magistrate Judge
Northern District of New York
James T. Foley U.S. Courthouse
Albany, New York 12207

Re: **United States v. Paul Lemperle**
07-M-126 (RFT)

Dear Judge Treece:

Pursuant to a pretrial diversion agreement, the prosecution of the above-referenced individual was deferred. I have been notified by the Probation Office that this individual has made a satisfactory adjustment to diversion supervision. As part of the pretrial diversion agreement, the government agreed to move to dismiss the complaint pending against him pertaining to this matter if he successfully completed his period of supervision. Therefore, enclosed herewith, please find a proposed order for dismissal of the aforesaid complaint as to this defendant.

If there is anything further you may need, please contact me.

Very truly yours,

ANDREW T. BAXTER
ACTING UNITED STATES ATTORNEY

BY:

THOMAS SPINA JR.
ASSISTANT U.S. ATTORNEY

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s/ Thomas Spina Jr.
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w/enclosures

cc: Hon. Lawrence K. Baerman, Clerk
U.S. District Court Clerk, Albany (for filing)

Gene V. Primomo, Esq.

Michael Patnaude
U.S. Probation Office/Pretrial Services/Albany